

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

VS.

FABIAN LAMAR BRITT,

Supervised Releasee

NO. 5: 01-CR-78 (DF)

RE: SUPERVISED RELEASE VIOLATIONS

ORDER

FEBIAN LAMAR BRITT, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for a continuation of the March 28, 2006 hearing convened under provisions of Rule 32.1 of the *Federal Rules of Criminal Procedure*. He was previously advised of the nature of the proceedings against him and of his legal and constitutional rights. On March 28th, with the assistance of legal counsel, said **SUPERVISED RELEASEE** waived a preliminary hearing under Rule 32.1(b)(1) of the *Rules* and agreed that a **FINAL** hearing could be scheduled under Rule 32.1(b)(2).

Upon consideration of the government's motion seeking detention of the **SUPERVISED RELEASEE** pending his final revocation hearing, and in light of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. Grounds for revocation set forth in the PETITION FOR ACTION ON SUPERVISED RELEASE include allegations that the **SUPERVISED RELEASEE** was terminated from Dismas House, Macon, Georgia on or about January 3, 2006, for rules violations. In addition, the **SUPERVISED RELEASEE** did not oppose the government's motion.

Accordingly, IT IS ORDERED AND DIRECTED that FABIAN LAMAR BRITT be **DETAINED** by the United States Marshal until further order of the court. While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said supervised releasee shall appear before the Honorable Duross Fitzpatrick, district judge, for a FINAL HEARING as directed by Judge Fitzpatrick. The Clerk of Court is directed to forward this order and the within file to Judge Fitzpatrick for the scheduling of said FINAL HEARING at the earliest possible time.

SO ORDERED AND DIRECTED, this 3rd day of APRIL, 2006.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE